

**RESOLUTION NO. OB 12-07**

**A RESOLUTION OF THE OVERSIGHT BOARD OF SUCCESSOR AGENCY OF THE CITY OF FIREBAUGH REDEVELOPMENT AGENCY OF THE CITY OF FIREBAUGH APPROVING THE AMENDED RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND AUTHORIZING TRANSMITTAL TO THE FRESNO COUNTY AUDITOR-CONTROLLER FOR AN EXTERNAL AUDIT PURSUANT TO ABx1 26**

**WHEREAS**, as part of the 2011-12 State budget bill, the California State Legislature recently enacted, and the Governor signed, companion bills ABx1 26 and ABx1 27, which eliminate every redevelopment agency unless the community that created it adopts an ordinance agreeing to participate in an Alternative Voluntary Redevelopment Program which requires the payment of an annual "community remittance" payment; and

**WHEREAS**, ABx1 26 also required redevelopment agencies to adopt, by August 27, 2011, an Enforceable Obligation Payment Schedule ("EOPS") which was meant to serve as the basis for the payment of the Redevelopment Agency's outstanding financial obligations through December 31, 2011; and

**WHEREAS**, the Redevelopment Agency adopted an EOPS on August 15, 2011; and

**WHEREAS**, the California League of Cities and the California Redevelopment Association filed suit in the Supreme Court of the State of California challenging the constitutionality of ABx1 26 and ABx1 27; and

**WHEREAS**, on December 29, 2011, the Supreme Court announced its ruling to uphold Assembly Bill ABx1 26 (dissolution of redevelopment agencies), but overturning and invalidating Assembly Bill ABx1 27 (allowing redevelopment agencies to continue with voluntary payments to the State); and

**WHEREAS**, Due to the timing of the Supreme Court ruling, the original dates within the language of ABx1 26 changed and a void has occurred in the original EOPS schedule. Therefore, the Redevelopment Agency adopted on January 23, 2012, by Resolution No. 12-04, an Amended Enforceable Obligation Payment Schedule ("Amended EOPS") which serves as the basis for the payment of the Redevelopment Agency's outstanding financial obligations, from January 1, 2012 to June 30, 2012 or May 1, 2012 if the Recognized Obligation Payment Schedule has been certified and approved; and

**WHEREAS**, The Amended EOPS was posted on the Redevelopment Agency's website and transmitted to the State Controller, State Department of Finance, and the Fresno County Auditor-Controller; and

**WHEREAS**, Health and Safety Code Section 34177 requires the City acting as the Successor Agency to adopt the EOPS as their own; and

**WHEREAS**, Health and Safety Code Section 34177 permits successor agencies to amend the EOPS at any public meeting of the successor agency and shall be subject to the approval of the oversight board as soon as there are enough members to form a quorum. The EOPS shall be posted on the successor agency or legislative body's Internet website for at least three business days before payments may be made pursuant to the amendment, and send notification of the amendment with a link to the website to the Fresno County Auditor-Controller, State Controller, and State Department of Finance; and

**WHEREAS**, the Successor Agency adopted and amended the Redevelopment Agency's EOPS; and

**WHEREAS**, pursuant to a provision of AB1x26, codified as Health and Safety Code Section 34177, the Successor Agency has approved the amended Recognized Obligation Payment Schedule (the "ROPS") covering the period of January 1, 2012 through June 30, 2012, and authorized transmittal to State Controller, State Department of Finance and Fresno County Auditor-Controller.

**WHEREAS**, the Oversight Board of Successor Agency of the City of Firebaugh Redevelopment Agency approves the amended Recognized Obligation Payment Schedule (the "ROPS") covering the period of January 1, 2012 through June 30, 2012.

**NOW, THEREFORE, THE OVERSIGHT BOARD OF SUCCESSOR AGENCY OF THE CITY OF FIREBAUGH REDEVELOPMENT AGENCY OF THE CITY OF FIREBAUGH, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:**

**SECTION 1.** The Recitals set forth above are true and correct and incorporated herein by reference; and

**SECTION 2.** Hereby, approves and authorizes transmittal of the amended ROPS covering the period of January 1, 2012 through June 30, 2012, in substantially the form attached hereto as Exhibit A, as required by the recently enacted legislation ABx1 26; and

**SECTION 3.** The Oversight Board is hereby authorized and directed to transmit a copy of the ROPS to the Fresno County Auditor-Controller, State Controller, and Department of Finance.

The above and foregoing resolution was duly and regularly passed and adopted at a special meeting by the Oversight Board of Successor Agency to the City of Firebaugh Redevelopment Agency, held on the 26th day of April 2012, by the following vote:

AYES: Minnite, Knight, Lopez, Weyant, Cline

NOES:

ABSENT: Stoppenbrink, Freitas

ABSTAIN:

APPROVED:

  
Chairperson, Oversight Board  
City of Firebaugh

ATTEST:

  
Secretary, Oversight Board  
City of Firebaugh

I, Craig Knight, Secretary of the Successor Agency to the Redevelopment Agency of the City of Firebaugh, certify that the foregoing Resolution was adopted at its regular meeting.

  
Craig Knight, Secretary

**Recognized Obligation Payment Schedule**  
Per ABX126 - Section 34177  
January 1, 2012 - June 30, 2012

Project Name / Debt Obligation	Payee	Revenue Source	Description	Total Estimated Outstanding Debt or Obligation	Projected Payment Dates	Obligation Expiration Date	Total Due During Fiscal Year	January 1, 2012 - June 30, 2012											
								Jan	Feb	Mar	Apr	May	Jun	Total					
1) Successor Agency Administrative Allowance	Employees of Successor Agency, Contracted Consultants and Operations	Administrative Cost Allowance	Detailed in Successor Agency Administrative Budget	\$ 6,250,000	May 19th (January 1st)	6/1/12	\$ 250,000	-	-	-	-	20,833	20,833	\$ 41,666	-	-	-	-	-
2) Downtown Street Lighting Project	Gowila Engineering/Other	Bond Proceeds	Bond proceeds grant match	\$ 30,000	February 1st	2/28/12	\$ 30,000	-	30,000	-	-	-	-	\$ 30,000	-	-	-	-	-
3) Gateway Project	Fresno County Housing Authority	Bond Proceeds	Affordable Housing Project	\$ 395,000	Per Agreement	Per Agreement	\$ -	-	-	-	-	-	-	-	-	-	-	-	-
4) Gateway Project	Fresno County Housing Authority	LMPHF	Affordable Housing Project	\$ 85,000	Per Agreement	Per Agreement	\$ -	-	-	-	-	-	-	-	-	-	-	-	-
5) Operating supplies/insurance for RDA (Jan 2012 - April 2012)	Several vendors	Fund Balance	Office supplies, printing, postage, automobile expenses, advertising, project insurance, telephone, janitorial, security, etc.	\$ 8,261	Monthly	6/1/12	\$ 25,900	1,787	2,158	2,158	2,158	-	-	\$ 8,261	-	-	-	-	-
6) Administrative/Employee Costs	Employees of Successor Agency	Fund Balance	Payroll cost for Successor Agency Employees (Jan - April 2012)	\$ 49,582	Monthly	6/1/12	\$ 165,500	8,950	13,542	13,542	13,542	-	-	\$ 49,582	-	-	-	-	-
7) Administrative/Employee Costs	Employees of Agency	Fund Balance	Payroll cost for RDA Employees (Jul 2011 - Dec 2011)	\$ 49,527	February 23rd	2/23/12	\$ 49,527	-	49,527	-	-	-	-	\$ 49,527	-	-	-	-	-
8) Operating supplies/insurance for RDA (Jul 2011 - Dec 2011)	Several vendors	Fund Balance	Office supplies, printing, postage, automobile expenses, advertising, project insurance, telephone, janitorial, security, etc.	\$ 12,831	February 23rd	2/23/12	\$ 12,831	-	-	12,831	-	-	-	\$ 12,831	-	-	-	-	-
9) Attorney Fees	Lozano Smith	Fund Balance	Legal services fees for RDA (Jul 2011 - Dec 2011)	\$ 3,609	February 23rd	2/23/12	\$ 3,133	-	3,609	-	-	-	-	\$ 3,609	-	-	-	-	-
10) Information Technology Services	Fresno Networks	Fund Balance	Computer services for RDA (Jul 2011 - Dec 2011)	\$ 724	February 23rd	2/23/12	\$ 724	-	724	-	-	-	-	\$ 724	-	-	-	-	-
11) Planning Services	Collins and Schaeffer	Fund Balance	Planning and zoning fees for RDA related to 2011 - Dec 2011	\$ 5,260	February 23rd	2/23/12	\$ 5,260	-	5,260	-	-	-	-	\$ 5,260	-	-	-	-	-
12) Audit Fees	Bryant L. Jolley	Fund Balance	SV 2010-11 Audit	\$ 143,904	As Invoiced	6/1/12	\$ 6,200	-	294	-	-	-	-	\$ 294	-	-	-	-	-
13) Engineering	Gowila Engineering	Fund Balance	5 yr capital improvements plan for RDA (Jul 2011 - Dec 2011)	\$ 2,242	February 23rd	2/23/12	\$ 2,242	-	2,242	-	-	-	-	\$ 2,242	-	-	-	-	-
14) Inspection	OVR & Associates	Fund Balance	building inspection August 2011	\$ 325	February 23rd	2/23/12	\$ 325	-	325	-	-	-	-	\$ 325	-	-	-	-	-
15) Pest Control	Tech Master Management	Fund Balance	pest control service in September 2011	\$ 75	February 23rd	2/23/12	\$ 75	-	75	-	-	-	-	\$ 75	-	-	-	-	-
16) CW Service Fee	Corbin Wilts Systems	Fund Balance	accounting software fee for RDA (Jul 2011 - Dec 2011)	\$ 613	February 23rd	2/23/12	\$ 462	-	613	-	-	-	-	\$ 613	-	-	-	-	-
17) Other Services	Various contractors	Fund Balance	financial consulting, planning	\$ 4,053	February 23rd	2/23/12	\$ 4,053	-	4,053	-	-	-	-	\$ 4,053	-	-	-	-	-
18) Pass Through Payment	City of Fresno	Fund Balance	Final payment from 2nd disbursement	\$ 10,300	March 31st	3/31/12	\$ 10,300	-	-	5,337	-	-	-	\$ 5,337	-	-	-	-	-
19) Pass Through Payment	City of Fresno	Fund Balance	Final payment from 2nd disbursement	\$ 8,807	March 31st	3/31/12	\$ 8,807	-	-	17,614	-	-	-	\$ 17,614	-	-	-	-	-
20) Pass Through Payment	Fresno County	Fund Balance	Final payment from 2nd disbursement	\$ 145,700	March 31st	3/31/12	\$ 291,400	-	-	145,700	-	-	-	\$ 145,700	-	-	-	-	-
21) Pass Through Payment	Fresno County Office of Education	Fund Balance	Final payment from 2nd disbursement	\$ 748	March 31st	3/31/12	\$ 1,406	-	-	748	-	-	-	\$ 748	-	-	-	-	-
22) Pass Through Payment	West Hills Jr. College	Fund Balance	Final payment from 2nd disbursement	\$ 1,527	March 31st	3/31/12	\$ 3,054	-	-	1,527	-	-	-	\$ 1,527	-	-	-	-	-
23) Pass Through Payment	Fresno Westside Mosquito Abatement	Fund Balance	Final payment from 2nd disbursement	\$ 712	March 31st	3/31/12	\$ 1,424	-	-	712	-	-	-	\$ 712	-	-	-	-	-
24) Pass Through Payment	Fresno Las Delas Unified	Fund Balance	Final payment from 2nd disbursement	\$ 6,104	March 31st	3/31/12	\$ 12,208	-	-	6,104	-	-	-	\$ 6,104	-	-	-	-	-
25) Attorney Fees	Lozano Smith	Fund Balance	Legal services fees for Successor Agency	\$ 299,000	As Invoiced	Annual Renewal	\$ 11,000	478	791	791	-	-	-	\$ 2,049	-	-	-	-	-
26) Attorney Fees	Lozano Smith	Fund Balance	Legal services fees for Successor Agency	Same as above	As Invoiced	Annual Renewal	Same as above	-	-	-	-	791	-	\$ 791	-	-	-	-	-
27) Information Technology Services	Fresno Networks	Redevelopment Property Tax Trust	Computer services for Successor Agency	\$ 100,000	As Invoiced	Annual Renewal	\$ 4,000	-	333	333	-	-	-	\$ 999	-	-	-	-	-
28) Information Technology Services	Fresno Networks	Redevelopment Property Tax Trust	Computer services for Successor Agency	Same as above	As Invoiced	Annual Renewal	Same as above	-	-	-	-	333	-	\$ 333	-	-	-	-	-
29) CW Service Fee	Corbin Wilts Systems	Fund Balance	Accounting software fee for Successor Agency	\$ 35,000	Monthly	Annual Renewal	\$ 1,476	123	123	123	-	-	-	\$ 492	-	-	-	-	-
30) CW Service Fee	Corbin Wilts Systems	Redevelopment Property Tax Trust	Accounting software fee for Successor Agency	Same as above	Monthly	Annual Renewal	Same as above	-	-	-	-	123	-	\$ 123	-	-	-	-	-
31) Consulting/Administrative services	Adams & Ashby Group	LMPHF	Accounting software fee for Successor Agency match	\$ 75,000	As Invoiced	6/1/12	\$ 3,000	-	-	3,000	-	-	-	\$ 3,000	-	-	-	-	-
32) 2005 Series A Tax Allocation Bonds	Bank of New York	Redevelopment Property Tax Trust	Refunding of 1993 & 1996 bonds and to finance additional redevelopment activities with respect to the Redevelopment Project	\$ 7,564,140	December 1st	6/1/12	\$ 198,020	-	99,460	-	-	-	-	\$ 99,460	-	-	-	-	-
33) 2005 Series B Tax Allocation Bonds	Bank of New York	Redevelopment Property Tax Trust	Refunding of 1998 bonds and refinance redevelopment activities with respect to the Redevelopment Project	\$ 4,902,668	December 1st	6/1/12	\$ 339,525	-	116,688	-	-	-	-	\$ 116,688	-	-	-	-	-
34) Fiscal Agent Fees	Bank of New York	Redevelopment Property Tax Trust	Trustee Fees	\$ 150,000	December 1st	6/1/12	\$ 5,000	-	-	-	-	-	-	\$ 5,000	-	-	-	-	-
35) Asset Disposition	Various Vendors	Redevelopment Property Tax Trust	Environmental Analysis, Disposition Agreements, Appraisals, and other related services	\$ 175,000	As Invoiced	Unit Disposition	\$ -	-	-	-	-	-	-	\$ -	-	-	-	-	-
36) Housing Compliance Monitoring	Successor Agency	Redevelopment Property Tax Trust	Affordable Housing Compliance Monitoring Per CRL and Associated Legal Fees	\$ 750,000	As Invoiced	6/1/12	\$ -	-	-	-	-	-	-	\$ -	-	-	-	-	-
37) Oversight Board Meetings	Successor Agency	Redevelopment Property Tax Trust	Agendas, notices, minutes, postings, meeting space	\$ 739,000	Monthly	6/1/12	\$ 19,000	-	5,000	5,000	3,000	3,000	3,000	\$ 19,000	-	-	-	-	-
38) Continuing Disclosure Fees	A.M. Peché & Associates	Redevelopment Property Tax Trust	Annual Disclosure report fees	\$ 55,000	January 16th	6/1/12	\$ 2,200	2,176	-	-	-	-	-	\$ 2,176	-	-	-	-	-
Total				\$ 22,034,687			\$ 1,474,889	13,518	347,578	185,850	19,947	25,060	28,560	\$ 630,583	-	-	-	-	-